

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74875 of 2023

Arising Out of PS. Case No.-513 Year-2023 Thana- BIHAR District- Nalanda

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Amit Kumar, aged about 19 years, Male Son of Ajit Kumar, Resident of
Pessaur, P.S.- Rahui, District – Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bihar PS Case No. 513 of 2023 instituted for the offences
punishable under Sections 306 and 506 of the Indian Penal
Code and Section 67 of the IT Act

3. As per the prosecution case, the allegation
against the petitioner is that he abet the informant's niece for
committing suicide, as a result of which, the informant's niece
committed suicide by hanging herself.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence and has
falsely been implicated in this case due to dirty village politics.



Learned counsel for the petitioner further submits that the allegation is of abatement of suicide for which the petitioner is not liable and has no concern with the alleged offence. There is no material or evidence against the petitioner to connect the petitioner in the present case save and accept the screenshot of petitioner's whatsapp or chatting. However, chargesheet has been submitted in this case under various sections of the Indian Penal Code. Petitioner is a young boy aged about 19 years has been implicated in this case.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR, postmortem report and the impugned order passed by the learned Sessions Judge, Nalanda, Bihar Sharif dated 27.09.2023, it appears that informant including the witnesses have supported the prosecution case in several paragraphs of the case diary. The case has been found true against the petitioner in the supervision note also. The prosecution case gets support from the inquisitor report as well as postmortem report. Recovery of photocopy of print out of screen shot of chat and concerned mobile of the petitioner are corroborate the allegation against the petitioner. There is sufficient material in the case diary regarding the involvement of the petitioner in the alleged



offence. Petitioner is in custody since 07.06.2023, in this circumstances, nature of allegation and gravity of the offence, I am not inclined to grant bail to the petitioner at this stage.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. The trial Court is directed to conclude the trial preferably within a period of six months from the date of receipt of a copy of this order with the co-operation of the petitioner. If the trial is not concluded, within the stipulated time, the petitioner shall be at liberty to renew his prayer for bail before the trial Court.

(Ramesh Chand Malviya, J)

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